

REMARKS

The Office Action dated August 10, 2005 has been carefully considered. Claims 1 and 3-9 are pending in the application, with claims 4 and 5 being withdrawn from consideration and claim 1 being the only independent claim. Claims 1 and 3-9 have been amended. Claim 2 has been canceled, without prejudice. Reconsideration of the application, as amended herein and in view of the following remarks, is respectfully requested.

Claim 1, 3 and 6-9 were rejected under 35 U.S.C. §112, second paragraph, because the expression "the motor shaft" in claim 1 lacks antecedent basis. Claim 1 has been amended to introduce the term "motor shaft". In view of this amendment, withdrawal of this rejection is requested.

Claim 1 was rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,265,890 (Balsells).

Applicant respectfully submits that amended claim 1 is not anticipated by Balsells because Balsells does not disclose, either expressly or inherently, each and every element as set forth in claim 1.

In particular, Balsells does not disclose (1) a tension ring that loads a sealing body against a base of a sealing groove without loading the sealing body against a shaft; and (2) a working chamber that is filled with pressure medium. Balsells discloses a spring assembly that is suitable for dynamic applications. Col. 4, lines 47-49. As the Examiner pointed out in the Office Action (page 3), Fig. 4d of Balsells shows a spring assembly 126 mounted in a housing 128 for sealing against a shaft 130. The spring assembly 126 has a resilient member 132, a groove 140 in the resilient member 132, and a spring ring 136 covered by an elastic material 138 and positioned in the groove 140. The spring ring 136 loads the upper portion of the resilient member 132 against the housing

128 and also loads the lower portion of the resilient member 132 against the shaft 130 at the same time. See col. 5, lines 4-12; Fig. 4d. Thus, in Balsells, the spring ring or tension ring 136 loads the resilient member against the shaft 130. In contrast, in amended claim 1, a tension ring loads a sealing body against a base of a sealing groove, but the tension ring does not load the sealing body against a shaft. This feature allows a more powerful tension ring be used, if necessary, to load the sealing body against the base of the sealing groove, without increasing the load between the sealing body and the shaft. Balsells clearly does not teach or suggest this feature.

In addition, Balsells does not disclose that there is a working chamber that is filled with pressure medium, as recited in claim 1. Balsells is silent on such a feature.

In view of these differences, withdrawal of the §102(b) rejection of claim 1 is respectfully requested.


Dependent claims 3 and 6-9 are patentable for at least the same reasons that independent claim 1 is patentable, as well as for the additional limitations recited therein. Since claim 1 is generic to claims 3 and 4, withdrawal of the restriction requirement and reinstatement of these claims is requested.

In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested.

It is believed that no fees or charges are required at this time in connection with the application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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